



Opening Doors, Changing Lives

DIVISION OF MENTAL RETARDATION SERVICES

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Abuse Registry Procedures Outlined

The purpose of the Abuse Registry is to provide a listing of individuals with substantiated allegations of abuse, neglect or mistreatment.

According to Tennessee Code Annotated §68-11-1006, all agencies providing services to individuals with mental illness or mental retardation shall consult the Abuse Registry prior to hiring employees or utilizing volunteers.

The agencies affected by this requirement are all facilities that contract with and/or are licensed by the Department of Mental Health and Developmental Disabilities, including, but not limited to, community agencies, inpatient treatment facilities, regional mental health institutes, developmental centers and residential treatment facilities. The Abuse Registry includes the Nurse Aide Registry and the Elderly Abuse Registry.

The procedure followed for placement of an individual on the Abuse Registry begins with the

substantiation of an allegation of abuse, neglect or mistreatment.

The incident out of which the allegation arises is reviewed by the Abuse Registry Committee. The Committee may determine that the individual's name should be submitted to the Abuse Registry. The Committee may also request additional information before a decision is made.

Once an individual's name is submitted for inclusion on the Abuse Registry by the Abuse Registry Committee, the Division Legal Counsel begins proceedings required under Tennessee Code Annotated §68-11-1004. The individual is notified in writing at his/her last known mailing address. The notice includes the following items:

1. a description of the nature of the allegation;
2. the date and time of the occurrence;
3. notification of the individual's right to a hearing if requested

Ways to Access The Abuse Registry

- 1) Calling 1-888-310-4650 or (615)741-7670 and following the verbal prompts; or
- 2) Accessing the Abuse Registry web site at <http://www.state.tn.us/health/abusergistry/index.html>. You will need the individuals name and/or Social Security number.

within 30 days from the date of the notice;

4. notification that the failure to request a notice within 30 days from the date of the notice will result in automatic submission of their name to the Abuse Registry;
5. notification of the consequences of waiving the right to a hearing;
6. notification of the consequences of a finding by a hearing officer that the allegation of abuse, neglect, mistreatment or misappropriation of property occurred; and
7. notification that the individual has the right to be represented by an attorney at the individual's own expense.

A hearing requested by the individual will be conducted as a "contested case" under the Tennessee Administrative Procedures Act, T.C.A. §4-5-301, et seq.

Normally the hearing will be completed within 120 days from the date the hearing is requested, unless the parties to the hearing waive the 120 day requirement.

The individual may choose to not have a hearing yet wish the Abuse Registry Committee to consider additional information that may

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WEB POSTINGS

<http://www.state.tn.us/mental2/setment/settle.htm>

Announcements, draft policies, final policies and information bulletins all appear on our Web site. Recent activities include:

INFORMATION BULLETINS



BULLETIN NUMBER	BULLETIN TITLE	CONTACT PERSON	EFFECTIVE DATE
02-07	Clarification of 1:1 and 2:1 Staffing Ratios	Donna Allen	1/23/02
02-08	Annual Physicals for People Receiving State Funded Service	Donna Allen	3/1/02
02-09	Post Transition Monitoring Visits	David Shoemaker	3/1/02
02-10	Investigation Report Recommendations	Investigation Report Recommendations	3/11/02
02-11	Training on Abuse and Neglect Prevention	Kim Dean	3/11/02
02-12	Foster Care Legislation	Donna Allen	4/2/02

Quote of the Day

"Far away in the sunshine
are my highest
aspirations. I may not
reach them, but I can
look up and see their
beauty, believe in them,
and try to follow where
they lead."

Louisa May Alcott



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A publication of the
Division of
Mental Retardation
Services

Don Sundquist, Governor
Dr. C. Warren Neel, Commissioner
Finance and Administration
Sandra Sturgis, Interim Deputy
Commissioner, DMR Services

The Tennessee Department of Mental Health
and Developmental Disabilities is committed
to principles of equal opportunity, equal
access, and affirmative action. Contact the
department's EEO/AA Coordinator at (615)
532-6580, the Title VI Coordinator at (615)
532-6700 or the ADA Coordinator at (615)
532-6700 for further information. Persons with
hearing impairments call (615) 532-6612.



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Abuse Registry Procedures

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mitigate their allegation. This request
and information should be submitted,
in writing, to the Abuse Registry
Committee for inclusion in the record.
The Abuse Registry Committee may
determine that, based on the
submitted information, that the
individual's name should not be
submitted to the Abuse Registry.

If the individual does not request a
hearing or re-hearing by the Abuse
Registry Committee, the Abuse
Registry Committee's decision is final
and the individual's name shall be
forwarded to the Department of
Health, who maintains the Abuse
Registry.

To remove a name from the Abuse
Registry, T.C.A. §68-11-1004(e)
provides two methods:

- 1) the Commissioner of the
Department of Health, after a
hearing, determines that the initial
report of a criminal conviction or
hearing conclusions were
inaccurate; or
2. the reported conviction or hearing
result is reversed on appeal.

No individual whose name is on
the Abuse Registry shall be allowed to
volunteer or be employed to provide
care to individuals receiving services
through the Division.

*If you have questions or need
clarification, contact Dennis Beard,
DMRS Investigations Coordinator at
(615) 532-6549 or e-mail him at
Dennis.Beard@state.tn.us*

Central and Regional Information Specialists

PERSON	LOCATION	PHONE NUMBER	FAX NUMBER
Larry Grimes	Central Office-Nashville	(615)741-0376	(615)532-9940
Linda Rogers	Memphis Regional Office	(901)213-1829	(901)372-4719
Tricia Price	Nashville Regional Office	(615)231-5033	(615)231-5150
Fred Coe	Knoxville Regional Office	(865)588-0508 Ext.108	(865)594-5180

Toll Free Lines For Complaints or Information, Call

Central Office-Nashville	1-800-535-9725
Memphis Regional Office	1-800-308-2586
Nashville Regional Office	1-800-654-4839
Knoxville Regional Office	1-888-310-4613

Web Site

Division of Mental Retardation
Services
<http://www.state.tn.us/mental>
Commission on Compliance/
<http://www.state.tn.us/mental2/>

State of Tennessee
Department of Finance and Administration
Division of Mental Retardation Services
Cordell Hull Building, 5th Floor, North
425 Fifth Avenue, North
Nashville, TN 37243